

CHAPTER NO. 468**SENATE BILL NO. 1752****By Curtis S. Person, Jr.****Substituted for: House Bill No. 252****By Stanley, Hargett**

AN ACT to amend Tennessee Code Annotated, relative to driver license suspension.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-50-502, is amended by adding the following new subdivision (11) to subsection (a):

(11)(A) Has contributed as a driver to the occurrence of an accident on school property, or on a highway with special speed limits, in which a pedestrian child suffers serious bodily injury as the result of such accident.

(B) As used in this subdivision, unless the context otherwise requires:

(i) "Highway with special speed limits" means any highway with reduced speed limits authorized pursuant to § 55-8-152 and when a warning flasher or flashers are in operation and while children are actually present;

(ii) "Pedestrian child" means any person under eighteen (18) years of age afoot or in a mechanized wheelchair or on a non-motorized wheeled device, including, but not limited to, a bicycle, a scooter, a skateboard, roller skates, in-line skates or a wheelchair;

(iii) "Serious bodily injury" means bodily injury which involves:

(a) A substantial risk of death;

(b) Protracted unconsciousness;

(c) Extreme physical pain;

(d) Protracted or obvious disfigurement; or

(e) Protracted loss or substantial impairment of a function of a bodily member, organ or mental faculty.

(iv) "School property" means any outdoor grounds contained within a public or private preschool, nursery school, kindergarten, elementary or secondary school's legally defined property boundaries as registered in a county register's office.

SECTION 2. The provisions of this act shall not apply to the driver of a school bus as defined in § 55-50-102(46) if at the time of the accident there exists a policy, rules or regulations governing when and under what circumstances such a driver is prohibited from operating a school bus.

SECTION 3. This act shall take effect July 1, 2005, the public welfare requiring it.

PASSED: May 27, 2005


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 18th day of June 2005


PHIL BREDESEN, GOVERNOR